

**H0ME INSPECTOR ADVISORY COMMITTEE
1400 EAST WASHINGTON AVENUE, MADISON, WI
MINUTES
JUNE 10, 1998**

PRESENT: Secretary Marlene Cummings, William Arnold, Jerome Baumgardt, Larry Engen, Robert Epps, Gina Gruba, Mark Jankowski, Norbert Lovata, Richard Staff, Mark Thomas

STAFF PRESENT: Cletus Hansen, Jacquelynn Rothstein, Barbara Showers; Myra Shelton, Tom Neumann and Roxanne Peterson for a portion of the meeting.

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by Cletus J. Hansen, Administrator of the Division of Business Licensing and Regulation.

WELCOME AND INTRODUCTIONS

Secretary Marlene Cummings welcomed committee members and thanked them for volunteering to serve on the committee. She spoke of the challenge of regulating a profession for the purpose of protecting consumers of the State of Wisconsin.

Committee members and Department staff were introduced.

Representative Daniel Vrakos, author of the bill which became 1997 Wisconsin Act 81, addressed the committee and talked about the development of the bill, the need for the regulation and his appreciation of the work of the committee. He expressed confidence that the Department will be able to install the new regulation by the statutory deadline and that he will introduce legislation as soon as possible in the next session to resolve any timing problems.

MISSION AND PURPOSE OF THE DEPARTMENT

Secretary Marlene Cummings advised that the mission of the Department is to safeguard the general well-being of Wisconsin consumers of state regulated occupational and professional services. This mission statement provides the framework from which all regulatory decisions, policies, procedures and goals are developed.

MISSION AND PURPOSE OF THE ADVISORY COMMITTEE

Secretary Cummings explained that the purpose and mission of the Home Inspector Advisory Committee is to advise the Department on issues relating to the regulation of home inspectors within the context of the Department's mission and purpose.

Clete Hansen explained the organization chart of the Department and the fact that this regulation will be in the Bureau of Direct Licensing and Real Estate.

CRITERIA FOR DECISION MAKING

Secretary Cummings and Clete Hansen discussed the Department's Criteria for Decisions statement, advising that the legislative and rulemaking proposals are measured against these criteria. The criteria are also considered by the Small Business Review Advisory Committee which reviews all rulemaking proposals and offers its recommendations.

OVERVIEW OF THE NEW REGULATION

Clete Hansen referred to a draft of a question and answer brochure which will explain the new regulation to applicants for registration and other interested persons. Committee members noted that the required continuing education hours will be 40 hours every two years. No other changes to the draft were suggested. The committee also received a copy of 1997 Wisconsin Act 81.

UPDATE ON EXAMINATION ALTERNATIVES

Exam Center Director, Dr. Barbara Showers, described the work that her office has done to locate or develop a valid and reliable exam. She gave the committee members two documents: a copy of a memo, dated May 19, 1998, addressed to Examination Providers and Other Interested Persons, entitled "Home Inspector Examination," and a list of names and addresses of testing companies and several home inspector associations to which the memo had been sent. The memo requested information about the availability of credentialing examinations for home inspectors.

Dr. Showers also distributed a document listing the following 7 essential elements of a credentialing examination: based on practice analysis, test specification content linked to results of practice analysis, defensible questions, reliable results, defensible passing score, assurance of security and fairness.

Dr. Showers explained that she has discovered thus far that none the exams she is aware of meet the essential criteria for an examination for registering home inspectors. That does not mean that some or all of the available exams are not good exams. The primary problem is the fact that a job analysis has not been conducted to determine what home inspectors do, how often they do it and what knowledge is needed to perform home inspector services with minimal competence. Dr. Showers explained that a national job analysis can be conducted by a national entity or a separate Wisconsin job analysis will have to be conducted. This would also be required if we develop our own exam. It takes quite a bit of time to do a job analysis. After the job analysis has been completed, exam specifications have to be prepared and questions have to be written and reviewed by job experts. It would take at least until January, 1999 to complete these tasks.

The committee acknowledged that there will be a time crunch relating to applicants taking the exam before November 1, 1998. The committee discussed a few alternatives for working out this problem. Secretary Cummings stated that the Department will develop a solution which carries out the spirit of the law and which does not penalize applicants. She and her staff will discuss alternatives before the next committee meeting and bring a proposal to the next meeting. Alternatives which the committee discussed were: developing a two-part exam (one part on the license law, the other part on inspection competencies), requiring applicants to pass the first part

of the exam before November 1, 1998, and passing the other part later, and issuing a limited registration which requires completing the second part of a two-part exam later

A committee member pointed out that Wisconsin has its own building code and some of the questions on a national exam may not be consistent with Wisconsin's code. Other committee members stated that their should not be building code questions on the exam.

OVERVIEW OF REQUIRED ADMINISTRATIVE RULEMAKING

Committee members were given copies of the home inspector rules of the state of Texas and Wisconsin rules relating to interior designers. The Texas rules included many sections on the standards for conducting inspections. The interior design rules focus on examinations and continuing education.

Some committee members stated that the Texas rules will not serve as an adequate model for Wisconsin, because the Wisconsin law was intended to track the ASHI standards. A copy of the ASHI standards was distributed at the meeting.

Committee members were urged to provide a copy of their inspection form before the next meeting. Some committee members stated that the committee may be able to develop standards by comparing the forms being used in the industry. Mark Thomas agreed to provide a copy of the ASHI Verification Form. Some committee members stated that the inspection forms required by the state of Texas are not appropriate for Wisconsin.

Tom Neumann, Director of the Office of Education, gave an overview of the continuing education requirements and explained how the Department usually likes to set up the course approval process and the procedures whereby credential holders give evidence at renewal time of having completed the required education.

NEXT MEETING

The next meeting was scheduled for July 9, 1997, from 10 a.m. to 12:30 p.m. [Editor's note: the meeting date subsequently had to be changed. The re-scheduled date is July 7, 1998 from 10 a.m. to 12:30 p.m.]

ADJOURNMENT

By consensus, the meeting was adjourned at 12:00 noon.